

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

DOROTHEA REYNOLDS

Plaintiff,

-vs-

ROBERT W. SMITH, et al.,

Defendants.

) **CASE NO. 2:11 CV 277**
)
)
) **JUDGE: ALGENON L. MARBLEY**
)
) **MAGISTRATE JUDGE KIMBERLY A.**
) **JOLSON**
)
) **UNOPPOSED MOTION FOR A 60-DAY**
) **EXTENSION OF DEADLINES SET IN**
) **THIS COURT'S OCTOBER 21, 2015**
) **PRELIMINARY PRETRIAL ORDER**
) **(ECF #121)**

Plaintiff moves this Court to grant her a 60-day extension of deadlines set in this Court's October 21, 2015 Preliminary Pretrial Order. (ECF #121) Plaintiff complied with Local Rule 7.3's requirement and contacted and attempted in good faith to consult with counsel for the Defendants regarding this Motion for an Extension of Time on March 17, 2016. Plaintiff was able to consult with opposing counsel and Defendants do not oppose this Motion for a 60-day extension.

BRIEF IN SUPPORT

On May 1, 2015, this Court entered a Report and Recommendation that Defendants' Motion for Summary Judgment be denied. (ECF #109). On September 8, 2015, an Order Adopting and Affirming the Report and Recommendation was issued. (ECF #114). On September 21, 2015 a Status Conference was conducted and anticipated discovery and schedules were discussed. On October 6, 2015, Defendants filed a Motion for Reconsideration (ECF #119)

of the Order Adopting and Affirming the Report and Recommendation. (ECF #114). On October 21, 2015, the Preliminary Pretrial Order established the following dates:

- Fact Discovery cut-off: April 15, 2016
- Expert Discovery cut-off: August 15, 2016
- Reports of Primary Experts: May 15, 2016
- Rebuttal Reports: July 15, 2016
- Dispositive Motions: September 30, 2016.

This Order also referred this case to the December 2015 Settlement Week.

Over the next few months, Plaintiff and Defendants attempted several exchanges with the purpose of resolving this case. The referral to December 2015 Settlement Week was vacated on December 10, 2015. Despite this, exchanges were still being made in an effort to settle the case. On January 25, 2016, a Settlement Conference was conducted with Magistrate Judge Terrence Kemp and the case was not resolved.

After it was clear to Plaintiff and Defendants that the case was not going to be resolved, at least not without further discovery, discovery resumed. Plaintiff has taken three additional Defendant depositions and plans on deposing the remaining Defendants and approximately 3-5 additional witnesses. Defendants have requested to take the deposition of Plaintiff. Plaintiff and Defendants are working together to schedule the remaining depositions and to timely serve other discovery requests. However, it is not likely that fact discovery can be completed by April 15, 2016.

Therefore, in the interest of justice and for the reasons stated above, Plaintiff respectfully moves this Court for a 60-day extension of deadlines set in this Court's October 21, 2015 Preliminary Pretrial Order. (ECF #121).

This will bring the new deadlines to:

- Fact Discovery cut-off: June 14, 2016
- Expert Discovery cut-off: October 14, 2016
- Reports of Primary Experts: July 14, 2016
- Rebuttal Reports: September 14, 2016
- Dispositive Motions: November 29, 2016.

Respectfully submitted,

/s/ Sara Gedeon

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CERTIFICATE OF SERVICE

I certify that on March 17, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of this Court's ECF system. Parties may access this filing through the Court's system.

/s/ Sara Gedeon
Sara Gedeon (0085759)